

ATTORNEY DOCKET NO: 72099RCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : BLATTNER et al.
Serial No : 10/564,066
Confirm. No : 3956
Filed : January 10, 2006
For : DEVICE FOR STORING...
Art Unit : 1792
Examiner : Rakesh Kumar Dhingra
Dated : September 25, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO REQUIREMENT UNDER 35 U.S.C. § 121

Applicant hereby elects Group I directed to claims 1-13, 15-17 and 20-23, drawn to an apparatus (substrate storing device with controller). However, Applicant respectfully traverses the requirement as the apparatus claims and the process claims relate to the general inventive concept of stacking and moving substrates. As such, it is believed that the apparatus claims require the special technical features of the process as claimed in the apparatus claims, particularly with respect to Group I and Group III as they provide for similar technical features. Applicant respectfully requests consideration of all claims in view of the close relationship between the process claims and apparatus claims.

Further and favorable consideration on the merits is requested.

Respectfully submitted
for Applicant,



By: _____

John James McGlew
Registration No. 31,903
McGLEY AND TUTTLE, P.C.

- and -



By: _____

Brian M. Duncan
Registration No. 58,505
McGLEY AND TUTTLE, P.C.

JJM:BMD
72099RCE-2

DATED: September 25, 2008
BOX 9227 SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-9227
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE
IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-
0410.